



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/ 601 377

EXAMINER

M. Budd

ART UNIT	PAPER NUMBER
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7834

#12

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. David B. Maden

(3)

(2) Mr. Remus Fedea

(4)

Date of Interview 2-27-02

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: Proposed amendments to claim 1 (copies attached)

Identification of prior art discussed: All

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed structure of proposed claims and how it distinguished from the art of record. Upon filing of an amendment a new search/consideration may be required.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has are ready been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

MARKO. BUDD
PRIMARY EXAMINER
ART UNIT 717

Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

2. A signed written statement is to the substance of any face-to-face or telephone interview with regard to an applicable material issue of record on the application, whether or not an agreement with the examiner was reached at the interview.

1. $\frac{1}{2} \leq \frac{1}{2} \leq \frac{1}{2}$ 2. $\frac{1}{2} \leq \frac{1}{2} \leq \frac{1}{2}$

Office performance where a recommendation is requested in view of an interview with an Examiner, a statement written statement of the reasons transmitted at the interview as warranted (where) which must be filed by the applicant. An interview does not remove the responsibility for response to Office action as specified in §§ 1.111, 1.135, 1.35 (U.S.C. (32))

1. All business to be transacted in writing. All business with the Patent or Trademark Office must be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action in the Patent and Trademark Office will be upon exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office can be so slow, because of the system, that I have found it hard sometimes, through the failure of some of the witnesses, to recover.

It is the responsibility of the applicant of the identity card to provide the information in the view of the individual data, which is submitted to the civil do. It is the examiner's responsibility to see that such a record is made and to correct national inaccuracies which bear directly on the question of nationality.

[illegible]

The *Interagency Committee* found that the given inappropriate place on the subject in the captioned portion of the letter, and stated in the January, 1934, in the following: "The subject of the captioned letter should not be treated as a subject interview, but a confidential interview, the subject in copy of the letter is changed and given to the appropriate file thereby to report the subject matter of the letter as a confidential interview, it is also recommended that the subject of the letter be removed from the subject matter of the letter." The subject of the letter is removed from the subject matter of the letter.

1. RESEARCH PROBLEMS are a combination of two primary information

- Serial Number of the application
Name of applicant
Name of examiner
Date of interview
Type of interview (personal or telephonic)
Name of participant(s) (applicant, attorney or agent, etc.)
An indication whether or not an exhibit was shown or a demonstration conducted
An identification of the claims discussed
An identification of the specific prior art discussed
An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). (Agreements as to allowability are tentative and do not restrict further action by the examiner to the contrary.)
The signature of the examiner who conducted the interview
Name of inventor, agent and trademark office personnel present

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

It is recommended that the examiner orally inform the applicant of his obligation to record the substance of the interview in each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or where the interview is recorded on the Form, it is an attachment to the Form, the examiner should check a box at the bottom of the Form informing the applicant that he need not supplement the Form by submitting a separate record of the substance of the interview.

I should be noted, however, that the interview during my fieldwork was not a structured interview and proper consideration of the interview process includes, in a subsequent step, the question of the researcher's role in the interview. This question has been raised before concerning the substance of the interview.

A complete and proper recollection of the substance of any interview should include at least the following applicable items:

- 1) a brief description of the nature of the exhibit shown or any demonstration conducted;
- 2) an identification of the claims discussed;
- 3) an identification of specific prior art discussed;
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the examiner;
- 5) a re-statement of the general thrust or the principal arguments presented to the examiner. The identification of arguments need not be lengthy or elaborate. A brief, clearly stated description of the arguments is not required. The identification of the arguments is sufficient if the general nature and thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he feels were or might be persuasive to the examiner;
- 6) a general indication of any other pertinent matters discussed; and
- 7) if appropriate, the general conclusions or outcome of the interview, and if already described in the Interview Summary Form completed by the examiner.

2. If you are not a registered user, please follow the instructions below to register. If the e-mail is not complete or accurate, the responder will send the applicant the e-mail from the State of the notifying letter. The responder will, at its period for response, whichever is longer, to complete the response and thereby avoid miscommunication of the application (37 CFR 1.135(c)).

Examiner to Check for Accuracy

Additional information of what took place at the interview should be carefully recorded to guarantee the accuracy of any statement or admission given at the interview. If at the conclusion of the interview it appears an interview was conducted in the presence of a representative, it should be pointed out in the case file and either the names of those present or names of persons on record. This should be done and noted on the following facts as to the location of the interview, identified as to if the record is complete and accurate, the examiner should place the indication "Interview record OK" on the paper recording the substance of the interview along with the date and